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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/612,095

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Chee-Wen Shiah

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24504

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EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

04/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/612,095

Applicant(s)

SHIAH ET AL.

Examiner

DAQUAN ZHAO

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. *Reopening of Prosecution After Appeal Brief or Reply Brief*

In view of the Appeal Brief filed on 2/4/2008, PROSECUTION IS HEREBY REOPENED.

A new ground of rejection is set forth below. To avoid abandonment of the application, appellant must exercise one of the following two options: (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or, (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid. A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

SPE Signature: /Thai Tran/

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 3, 4, 7, 9 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Bhogal et al (US 6,931,556 B2) and further in view of Hosono (US 7,130,253 B2).

For claim 1, Bhogal et al teach a method for playing back optical videodisc by using an optical disc drive, the method comprising the following steps:

a) reading video a data from an optical videodisc at high speed of the optical disc drive (e.g. column 1, line 62- column 2, line 11).

b) storing the video data to a non-volatile storage device (e.g. column 1, line 62- column 2, line 11).

c) halting the operation of the optical disc after the reading process has completed in order to avoid the unnecessary free running during idling time for power saving purpose (e.g. column 1, line 62- column 2, line 11).

d) according to a video playing speed, a video play back device continuously acquiring and playing back the video data from the non-volatile storage device (e.g. column 1, line 62- column 2, line 11).

e) outputting the video data to a video display unit (e.g. column 5, lines 6-11).

However, Bhogal et al fail to specify the highest possible playback speed for of the optical disc drive. Hosono teaches the highest possible playback speed for of the optical disc drive (e.g. column 6, lines 30-38). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Hosono into the teaching of Bhogal et al to increase the playback speed of the optical to reduce the reading time.

Claim 10 is rejected for the same reasons as discussed in claim 1 above.

For claim 2, Bhogal et al teach said optical videodisc can be a VCD, SVCD or DVD (e.g. column 5, lines 6-11).

For claim 3, Bhogal et al teach the optical disc drive can be a CD ROM, DVD ROM, CD R/W, DVD R/W or DVD RAM (e.g. column 5, lines 6-11).

For claim 4, Bhogal et al teach the non-volatile storage device in step (b) comprises a hard disc (e.g. column 1, line 62- column 2, line 11).

For claim 7, Bhogal et al teach the step (b) further comprising the following sub-steps: simultaneously acquiring and playing back the video data that has been stored in the storage device, then outputting the film data to a video display unit according to video playing speed (e.g. column 1, line 62- column 2, line 11).

For claim 9, Bhogal et al teach the video display unit in step (e) is a monitor(e.g. column 5, lines 6-11).

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bhogal et al (US 6,931,556 B2) and Hosono (US 7,130,253 B2) as applied to claims 1, 2, 3, 4, 7, 9 and 10 above, and further in view of Truong (US 6,986,447 B2).

See the teaching of Bhogal et al and Hosono above.

For claim 8, Bhogal et al and Hosono fail to specify the video display unit is a television. Truong teach in column 2, lines 49-60 the video display unit is a television. It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Truong into the teaching of Bhogal et al and Hosono for displaying the video.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/
Examiner, Art Unit 2621
Daquan Zhao

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621